HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 13028 OF 1998

Between:

M. Gangadharappa, S/o M. Obulesu

...Petitioner

AND

1. Sri Saibaba National Degree College, Anantapur, rep. By its Correspondent and one another

.....Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 13028 OF 1998

ORAL ORDER:

On 15.2.1997, the first respondent-an aided degree College issued a notification inviting applications for the post of lecturers in several disciplines in aided and unaided posts.

The petitioner applied for the post of Lecturer in Chemistry. It would appear that the management sent up proposals duly recommending the petitioner for the unaided post of Lecturer in Chemistry. According to the counter affidavit filed by the second respondent, by orders dated 24.1.1997, the competent authority permitted the respondent-Management to fill up the specified aided vacancies in the College. These did not include the unaided vacancy, namely the post of a Lecturer in Chemistry. Thereafter, on 1.5.1997, the correspondent of the first respondent submitted proposals to the Director of Collegiate Education, Hyderabad, seeking clearance for issuance of appointment orders to five individuals in other disciplines and to the petitioner in the unaided post of lecturer in Chemistry. The second respondent by a communication dated 20.5.1997 permitted the first respondent to issue appointment orders to the persons selected for the posts of Lecturers in aided vacancies, but declined permission to issue appointment order to the petitioner, as he was selected against an un-aided vacancy. According to the second respondent, Lecturer vacancies were available only in unaided posts for which no approval for appointment was required and the College was at liberty to make appointments, if the selection were in accordance with the Rules.

In the first respondent's counter, it is stated that the workload in the department of Chemistry having been examined and having regard to the fact that it is an unaided vacancy, the first respondent had concluded that the workload did not justify issuing orders of appointment of a Lecturer in the unaided post. For this reason the petitioner was not issued an order of appointment, is the defence of the first respondent.

In the light of the aforesaid facts, the petitioner is seen to have no vested right to seek an order of appointment in the unaided post of Lecturer in the first respondent College. It is a settled principle that a mere process of selection does not inhere a right to appointment.

There are no merits in the Writ Petition. Accordingly the Writ Petition is dismissed. No order as to costs.

GODA RAGHURAM, J

Date: 13.06.2007
KA